

REMARKS/ARGUMENTS

Reexamination and reconsideration of this application, withdrawal of the rejection, and formal notification of the allowability of all claims as now presented are earnestly solicited in light of the above amendments and remarks that follow.

Claims 1, 4-21 and 23-30 are pending in the application. Claim 1 has been amended to recite the presence of a plurality of a longitudinally extending channels extending through the first section of filter material, and that the first section of filter material is smoke-permeable. A similar change has been made in independent claim 21, which has also been amended to indicate that the adsorbent is activated carbon in granular form. New claims 25-30 are presented herein.

Support for the amendments relating to a plurality of channels may be found throughout the specification and original claims, such as original claims 2 and 3. The channels are clearly illustrated as extending longitudinally through the filter section in Figs. 4-7 and in the accompanying text of the specification. Further, the sections of filter material, particularly the filter material through which the channels extend, are clearly described as smoke-permeable. For instance, the sections of fibrous filter material are described as having a denier per filament of 1.8 to 10, which is clearly understood in the art to result in a smoke-permeable filter segment (page 25, lines 9-24). The specification also includes multiple examples wherein cigarettes comprising fibrous filter segments having a denier per filament of 1.8 to 10 are formed, and which provide certain data resulting from the smoking of such cigarettes. Thus, it is clear from the specification that the tobacco end section of filter material is smoke-permeable even outside of the one or more channels present therein. Support for the new claims may be found throughout the specification and in the original claim set. Accordingly, Applicants respectfully submit that no new matter is introduced by these amendments.

The Examiner has objected to the drawings, arguing that the claimed “plurality of channels” is not shown in all claimed configurations (i.e., “proximal to the central axis” and “spaced along the periphery”). Applicants respectfully traverse this objection and direct the Examiner’s attention to Figures 6 and 7 and the accompanying text of the specification. Each of Figs. 6 and 7 illustrate a plurality of channels located either proximal to the central axis or spaced

along the periphery. Accordingly, it is respectfully submitted that the drawings do in fact illustrate these features of the invention.

Claims 1-8, 16-17, 19, and 21-24 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,423,336 to Mentzel *et al.* The Examiner relies upon the Mentzel patent as disclosing a ventilated filter cigarette comprising a centrally-located duct 16 in the tobacco end section of filter material and a central chamber 4 filled with activated carbon. Further, the Examiner relies upon the air-permeable filter core 12 in certain embodiments of the Mentzel patent as satisfying the “channel” language through which air may pass in order to be delivered to the smoker. Applicants respectfully traverse this rejection.

Claims 1 and 21 have been amended to recite the presence of a plurality of longitudinally extending channels extending through the first section of filter material. The Mentzel patent clearly fails to teach or suggest a filter arrangement. Obviously, the central duct 16 in Fig. 5 of Mentzel only represents a single longitudinally-extending channel.

Further, it is respectfully submitted that the filter core 12 relied upon by the Examiner as satisfying the claimed channel language cannot be viewed as encompassing the present claims. As clarified, independent claims 1 and 21 require a plurality of longitudinally extending channels through the first section of filter material. As clearly described in the specification, these channels extend in a longitudinal direction and provide an unimpeded pathway for mainstream smoke from the tobacco rod to the central cavity or chamber of the filter. Any “channels” in the filter core 12 cannot be viewed as longitudinally extending. Filter core 12 is constructed of cellulose acetate fibers. This fibrous section of filter material would not produce longitudinally extending channels between the tobacco rod and the central cavity as presently claimed.

Additionally, independent claims 1, 21 and 29 recite that the section of filter material proximal to the tobacco rod that includes the one or more channels therein is smoke-permeable, and in certain dependent claims, such as claims 27, 28 and 30, specific denier per filament ranges are provided, which correspond to known ranges that produce smoke permeability in such filter sections. The Mentzel patent cannot be described as disclosing or suggesting such a filter arrangement. Instead, the Mentzel patent clearly requires encasement of the air-permeable core 12 or duct 16 in an impermeable casing of highly compressed cellulose acetate fibers chosen in such a way that virtually no primary smoke can flow through (see column 4, lines 1-18; column

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5, lines 6-16). Thus, this casing material cannot be viewed as smoke-permeable as claimed in independent claims 1, 21 and 29, and certainly cannot be viewed as providing a denier per filament of about 1.8 to about 10 as recited in claims 27, 28 and 30, since such density levels are known to produce smoke-permeable filter sections as evidenced by the examples in the present specification. Accordingly, Applicants respectfully request reconsideration and withdrawal of this rejection.

Claims 9-15, 18, and 20 stand rejected under 35 U.S.C. §103(a) as being unpatentable over the above-referenced Mentzel patent. Applicants respectfully traverse this rejection.

All of claims 9-15, 18, and 20 depend from claim 1. As noted above, independent claim 1 is distinguishable from the Mentzel patent, which fails to teach or suggest all elements thereof. Accordingly, this rejection is also overcome and Applicants respectfully request reconsideration and withdrawal of this rejection thereof.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,

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